

October 11, 2006

The regular meeting of the Santa Rosa County Building Code Board of Adjustments and Appeals was held October 11, 2006, at 3:00 p.m. in the conference room of the Santa Rosa County Building Inspection Department located at 6051 Old Bagdad Highway, Milton, FL 32583. Board members present were Mr. Danny Holt, Chairman; Mr. William J. Blackman, Mr. James "Larry" Hall and Mr. Frank Harold.

Building Inspection Department staff in attendance was Mr. Tim Tolbert, Building Official; Mrs. Rhonda Royals, Deputy Building Official; Mr. Skip Tompkins, Compliance Division Superintendent; Mr. Randy Jones, Compliance Investigator; Mr. Bobby Burkett, Compliance Investigator and Mrs. Robyn Leverton, Administrative Assistant I.

Mr. Tom Dannheisser, County Attorney, was present for the meeting.

Mr. Danny Holt, Chairman, called the meeting to order at 3:00 p.m.

A court reporter from Anchor Court Reporting, Pensacola, was present for the "Formal Hearing" portion of these minutes.

Approval of Agenda:

Mr. Harold made a motion to accept the agenda. Mr. Blackman seconded the motion. The motion carried with a unanimous vote.

Approval of Minutes:

Mr. Harold made a motion to approve the minutes from the September 13, 2006 meeting. Mr. Hall seconded the motion. The motion carried with a unanimous vote.

Next Meeting:

The next regularly scheduled meeting is Wednesday, November 8, 2006, at 3:00 p.m. in the Building Inspection Department Conference Room.

Old Business (Formal Hearing)

AMVETS Post 1292 vs. Robert Chandler Knowles d/b/a Chandler Knowles, Inc.

Rhonda introduced the case and stated that in the previous meeting the Board found Robert Chandler Knowles guilty of all three charges. The case was tabled until this meeting to determine disciplinary action against Mr. Knowles license #RB0035580. The delay, in voting on disciplinary action, was to give Mr. Knowles an opportunity to reimburse AMVETS.

The charges are as follows:

Alleged Violations of Ordinance 2002-06:

- 1) Section 16, Paragraph 1(e) – Aiding and abetting any uncertified person to evade any provision of this act.
- 2) Section 16, Paragraph 1(f) – Knowingly combining or conspiring with any uncertified person by allowing one's certificate to be used by any uncertified person with the intent to evade the provision of this act. When a certificate holder allows his certificate to be used by one or more companies without having any active participation in the operations, management, or control of such companies, such act constitutes prima facie evidence of an intent to evade the provision of this act.
- 3) Section 16, paragraph 1(h) – Financial mismanagement or misconduct in the practice of contracting that caused financial harm to a customer.

The Board requested that Mr. Knowles speak; he was sworn in and gave a brief update of the case. He stated that he met with the Board of AMVETS Post 1292 and they reached a tentative re-payment agreement. AMVETS is working with their attorney to draw up paperwork; once complete, they can be executed. They basically involve an installment note. He said that assuming the documents are drawn up as agreed upon, they will be signed.

A discussion ensued.

Mr. Harold said that he believes AMVETS should have attended the meeting for verification. Mr. Hall made a motion to postpone determination of disciplinary action until the next meeting in order for an AMVETS rep to be present. Mr. Blackman seconded the motion. The motion passed with a unanimous vote.

Old Business (Formal Hearing)

Santa Rosa County vs. Crista V Hollenbeck d/b/a Crystal Pools

Rhonda Royals introduced the case and stated that this is a continuation of a disciplinary formal hearing regarding Crista V Hollenbeck's license #RP0040798. The charges are as follows:

Alleged Violation of the 2004 Florida Building code:

1. Section 109.5 Inspection Requests. It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

Mrs. Royals continued by saying that the Board voted at the last meeting to allow Crystal Pools 30 days to obtain the final inspections on the permits in question. As of 10.5.06, out of the four permits earmarked by Randy Jones, one passed a final inspection the other three have been reinstated.

Randy briefed the Board on the case stating that Crystal Pools has passed one pool inspection; of the other three that were reinstated one had an inspection requested however there was a problem with the electrical not having any record of having a rough-in inspection. Mr. Hollenbeck says it had been looked at by an inspector. Randy said that this is one of two that he is aware of where the homeowner pulled the electrical permit and Mr. Hollenbeck helped the homeowner do the work. Randy said, "We are sort of in a quandary waiting on some sort of proof from Crystal Pools that the grounding was inspected. The continuity of that can be verified, it is somewhat time consuming and I'm not sure if anyone involved, the homeowner or Mr. Hollenbeck, is really capable of helping us verify this without having an electrician involved." Randy stated that he is of the opinion that there has been some endeavor from the situation at the last meeting, but one problem he has is that these permits are over two years old so two years have gone by with nothing having been done.

Mr. Hank Hollenbeck, representative for Crystal Pools, explained the circumstances involved with each permit. He stated that the electrical permits need to be reinstated as well.

A discussion ensued.

Mr. Harold made a motion to table the case until the next meeting in order for the contractor to give a progress update. Mr. Blackman asked Mr. Hollenbeck if Crystal Pools plans on continuing to do business in Santa Rosa County. Mr. Hollenbeck said, "Yes". Mr. Hall seconded the motion. The motion carried with a unanimous vote.

New Business (Probable Cause)
Werner Panchenko vs. Timothy K. Sowell d/b/a Tim Sowell Roofing
Rhonda Royals introduced the case.

Randy Jones summarized the complaint. He said that he received the complaint in April '06. Mr. Panchenko contacted him regarding some leaks. At that time Randy discovered that a permit wasn't pulled for the roof. He contacted Mr. Sowell and the permit was issued in June '06. Shortly after that, in his discussion with Mr. Sowell, Randy discovered that this was a metal roof that does not have Florida Product Approval therefore the metal is not supposed to be on the house. When the permit was issued, Baker Metal product approval information was submitted on the application. An inspection was requested about a week after the permit was issued and Randy told the inspector that there was an unapproved product on the roof therefore the inspection was failed without being looked at because of the unapproved metal. The Brindle & Davis metal from Georgia was supplied by Mike Winkler. Randy said that in summary we have a roof on which we relied on bad information in order to issue a permit and unapproved roofing material that isn't supposed to be on the house. Mr. Panchenko needs a legal roof on his house that will pass a final inspection.

Mr. Panchenko addressed the Board; said that he contacted Tim Sowell about his leaks in his roof after Ivan. He said that Tim Sowell told him that he had someone from Georgia working for him, Mike Winkler, that had his own metal and was approved. Tim showed him charts on the wall with metal colors and he said the guy was doing a job on West Lake Rd. Mr. Panchenko went to talk to this guy telling him that he had been referred by Tim. The Mr. Winkler went to Mr. Panchenko's home to give him an estimate. Mr. Panchenko wrote him a check and several months later he finally showed up with the metal. Mr. Panchenko then found out that Mr. Winkler planned on installing the metal right over the top of the shingles with no barrier or anything else so he told Tim Sowell that he would rather have someone else put the metal down as he didn't agree with the installation method. Tim said he had another person, a Mr. Etheridge, who was working for him and was a metal roofer. Mr. Etheridge put the roof on, it took a few weeks and additional metal had to be purchased from another company as there wasn't enough. Mr. Panchenko said that he still has leaks, the ridge has no blockage, the valleys are too tight, screws are still missing and he has excessive overhang. He said that he wrote the first check out to Mike Winkler. When the roof was completed by Mr. Etheridge, he wrote the final check out to Tim Sowell Roofing and then he was issued a 5-year warranty. Mr. Panchenko said Mr. Sowell says that he intends on removing and replacing the current metal roof.

A discussion ensued.

Mr. Sowell spoke to the Board. He said that after the storm, he was looking for roofing help and material anywhere he could find it. He said that he would be glad to go out to Mr. Panchenko's, buy new metal and remove and replace the current roof within the next 30 days.

Mr. Blackman made a motion to table the case until the next meeting to allow contractor time for reroof. Mr. Hall seconded the motion. The motion carried with a unanimous vote.

Mr. Harold made a motion to adjourn the meeting. Mr. Blackman seconded the motion. The motion carried with a unanimous vote.

The meeting was adjourned at 4:05p.m.